

FILED

AUG 25 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *man*UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JUL - 1 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *man* DEPUTY

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

JUAN RODRIGUEZ-RODRIGUEZ

Case Number: 08CR1117-BTM

GREGORY MURPHY, FEDERAL DEFENDER'S INC.

Defendant's Attorney

REGISTRATION NO. 99089198

X pleaded guilty to count(s) 1 and 2 of the information☐ was found guilty on count(s) _____
after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

Title & Section	Nature of Offense	Count Number(s)
8 USC 1325	Illegal entry	1
8 USC 1325	Illegal entry	2

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.☐ The defendant has been found not guilty on count(s) _____☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.

X Assessment : Pursuant to the motion of the United States under 18 USC 3573, the special assessment provided for under 18 USC 3013 is waived and remitted as uncollectible.

X Fine ordered waived.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

June 27, 2008

Date of Imposition of Sentence

Barry Ted Moskowitz
BARRY TED MOSKOWITZ, DISTRICT JUDGE
Name and Title of Judicial Officer

Entered Date:


AO 245B (Rev. 9/00) Judgment in Criminal Case
Sheet 2 — Imprisonment

Judgment — Page 2 of 4

DEFENDANT: JUAN RODRIGUEZ-RODRIGUEZ
CASE NUMBER: 08CR1117-BTM

IMPRISONMENT

X The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a period of six (6) months as to count 1 and twenty-four (24) months as to count 2, consecutively to count 1 for a total sentence of thirty (30) months.


BARRY TED MOSKOWITZ
UNITED STATES DISTRICT JUDGE

The court recommends to the Bureau of Prisons:

- ☐ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district:
 - ☐ at _____ ☐ a.m. ☐ p.m. on _____
 - ☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of
 - ☐ before 2 p.m. _____
 - ☐ as notified by the United States Marshal.
 - ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on 8-14-08 to RCOC I & II
at Pecos, Tx, with a certified copy of this judgment.
By M. McDaniel UNITED STATES MARSHAL - Warden
Jita Garcia DEPUTY UNITED STATES MARSHAL - Records

DEFENDANT: JUAN RODRIGUEZ-RODRIGUEZ
CASE NUMBER: 08CR1117-BTM

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 1 year as to count 2.

MANDATORY CONDITIONS

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons unless removed from the United States.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

The defendant shall cooperate as directed in the collection of a DNA sample, pursuant to 18 USC 3583(d).

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, but not more than 2 times per month, unless defendant is removed from the United States.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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(Rev. 9/00) Judgment in a Criminal Case
Sheet 3 — Continued 2 — Supervised Release

Judgment—Page 4 of 4

DEFENDANT: JUAN RODRIGUEZ-RODRIGUEZ
CASE 08CR1117-BTM

SPECIAL CONDITIONS OF SUPERVISION

- ☒ Submit to a search of person, property, residence, abode or vehicle, at a reasonable time and in a reasonable manner, by the probation officer.
- ☒ Not possess firearms, explosive devices, or other dangerous weapons.
- ☒ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☒ If deported, excluded, or allowed to voluntarily leave the United States, obey all laws federal, state and local and not reenter the United States illegally and report to the probation officer within 72 hours of any reentry to the United States; the other conditions of supervision are suspended while the defendant is out of the United States after deportation, exclusion, or voluntary departure.
- ☒ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☒ Not enter U. S. illegally.
- ☒ Cooperate as directed in the collection of a DNA sample.

*** LIMITED OFFICIAL USE ***

DATE: 07/10/2008 TIME: 20:44 PAGE: 1

UNITED STATES MARSHALS SERVICE
PRISONER TRACKING SYSTEM
SOUTHERN DISTRICT CALIFORNIA
DISTRICT: 98 OFFICE: SD

INDIVIDUAL CUSTODY AND DETENTION REPORT USM (129)

NAME: RODRIGUEZ-RODRIGUEZ, JUAN
USMS NUMBER: 99089198

I. IDENTIFICATION DATA:

USMS NBR: 99089198 NAME: RODRIGUEZ-RODRIGUEZ, JUAN

ADDRESS: CALLE CAUHILAY MUTAULISMO TIJUANA, MX

PHONE: - -

DOB: 09/12/1964 AGE: 43 POB: COLIMA, MX SEX: M RACE: W HAIR: BRO EYE: BRO HEIGHT: 504 WEIGHT: 155

SSN: - - FBI NBR: 866822DA9 ALIEN NBR: A79784650

OTHER NUMBER CA07923599 OTHER NUMBER TYPE STATE NUMBER

DETAINDER/DATE ACTIVE AGENCY REMARK
***** NPRISONERS ALIASES: RODRIGUEZ, JUAN
ALIAS REMARKS: RODRIGUEZ(FBI MN)GENERAL REMARKS:
NONE

II. CASE INFORMATION:

CTR	STATUS	COURT CASE NUMBER	FEDERAL COURT CITY
1	RL-BOP	06-0919-R	SAN DIEGO
2	WT-MOVE	08-1117-BTM	SAN DIEGO

CTR	JUDGE NAME	US ATTORNEY NAME	DEFENSE ATTORNEY NAME
1	RHOADES, JOHN		GORDEN, CARY
2	MOSKOWITZ, BARRY TED		MURPHY, GREGORY

CTR	ARREST DATE	ARRESTING AGENCY	LOCATION OF ARREST	WARRANT NUMBER
1	04/14/2006	IMMIGRATION AND CUSTOMS ENFORCEMENT	SYS CA.POE.	
2	03/27/2008	IMMIGRATION AND CUSTOMS ENFORCEMENT	SAN YSIDRO, CA POE	

CTR	OFFENSE	OFFENSE REMARK	DISPOSITION
1	(0303) SMUGGLING ALIENS	8USC1324	GUILTY (PLEA)
2	(0301) ILLEGAL ENTRY	8USC1325	GUILTY (PLEA)

CTR	SENTENCE DATE	SENTENCE	APPEAL DATE
1	08/28/2006	13 MOS CT 1; 3 YRS SUPERVISED RELEASE	*****
2	06/27/2008	6 MOS CT 1; 24 MOS CT 2 C/S; 1 YR SUPV REL	*****

III. STATUS HISTORY

CTR	STATUS	STATUS DATE	CUSTODY DATE	RELEASE DATE	REMARK
1	WT-TRIAL	04/17/2006	04/17/2006	*****	05/15/06; 06-0919-R

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*** LIMITED OFFICIAL USE ***

DATE: 07/10/2008 TIME: 20:44 PAGE: 2

UNITED STATES MARSHALS SERVICE
PRISONER TRACKING SYSTEM
SOUTHERN DISTRICT CALIFORNIA
DISTRICT: 98 OFFICE: SD

INDIVIDUAL CUSTODY AND DETENTION REPORT USM (129)

NAME: RODRIGUEZ-RODRIGUEZ, JUAN
USMS NUMBER: 99089198

1	WT-SENT	05/15/2006	*****	*****	06/30/06; 06-0919-R
1	WT-J/C	08/28/2006	*****	*****	13 MOS; 06-0919-R
1	WT-DESIG	08/31/2006	*****	*****	
1	WT-MOVE	09/12/2006	*****	*****	CALIFORNIA CITY
1	RL-BOP	09/22/2006	*****	09/22/2006	SHT01108
2	WT-TRIAL	03/28/2008	03/28/2008	*****	05/22/08; 08MG0950
2	WT-SENT	05/22/2008	*****	*****	06/27/08; 08-1117-BTM
2	WT-J/C	06/27/2008	*****	*****	30MOS; 08-1117-BTM
2	RC-J/C	07/02/2008	*****	*****	
2	WT-DESIG	07/07/2008	*****	*****	
2	WT-MOVE	07/10/2008	*****	*****	REEVES CI

IV. CHRONOLOGICAL PRISONER HISTORY

INST CODE	INSTITUTION NAME	ADMIT DATE	RELEASE DATE	DAYS BOARDED	ACTION OR DISPOSITION
SDC	MCC SAN DIEGO	04/17/2006	05/26/2006	39	
8JA	DOWNTOWN SD (WCC)	05/26/2006	08/30/2006	96	
SDC	MCC SAN DIEGO	08/30/2006	09/21/2006	22	
8JH	OTAY MESA (CCA)	09/21/2006	09/22/2006	1	
SDC	MCC SAN DIEGO	03/28/2008	04/29/2008	32	
LOC	LOCAL HOSPITAL	04/29/2008	05/03/2008	4	ALV/HERNIA
SDC	MCC SAN DIEGO	05/03/2008	06/20/2008	48	
8JH	OTAY MESA (CCA)	06/20/2008	07/01/2008	11	
6Q2	SAN LUIS DET CTR. AZ	07/01/2008	*****	9	

TOTAL DAYS BOARDED 262

V. MEDICAL CONDITION/TREATMENT HISTORY

DATE	SERVICE PROVIDED	VENDOR	SERVICE PROVIDED
04/29/2008		ALVARADO HOSP LLC	04/29-5/3 HOSP CARE
04/29/2008		ALVARADO HOSP LLC	FOR ANESTH SER
04/29/2008		ALVARADO HOSP LLC	FOR ANESTH SERV MED GRP

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***** END OF REPORT *****

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